

DRAFT MINUTES
of the Third Meeting of the
Art Therapy Technical Review Committee

January 7, 2020
1:00 p.m.
Lower Level Conference Room “C”
The Nebraska State Office Building, Lincoln, NE

Members Present

Kevin Low, DDS (Chair)
Su Eells
Karen Jones
Wendy McCarty, Ed.D.
Michael J. O’Hara
Ben Greenfield, Perfusionist
Marcy Wyrens, RRT

Members Absent

Staff Present

Matt Gelvin
Ron Briel
Marla Scheer

I. Call to Order, Roll Call, Approval of the Agenda

Dr. Low called the meeting to order at 1:01 p.m. The roll was called; a quorum was present. Dr. Low welcomed all attendees and committee members. The Open Meetings Law was posted in the meeting room, and the meeting date and time were advertised online at <http://dhhs.ne.gov/Licensure/Pages/Credentialing-Review.aspx>. The committee members unanimously approved the agenda for the third meeting and the minutes of the second meeting.

II. Committee Questions on the Proposal

What credentialed mental health professions would be exempted from the terms of the Art Therapy proposal, if any?

The applicants stated that there would be no exemptions and that anyone who seeks to provide the services associated with Art Therapy must undergo the education and training necessary to provide these services safely and effectively. One attendee commented that consideration should be given to the idea of including a disclaimer regarding some health care providers regulated under the Medical Practice Act such as Physicians, for example.

Do patients get referred to Art Therapists for treatment? If so, what practitioners typically make such a referral? And, what kind of specific health problems or conditions get referred to an Art Therapist?

This question was not answered during the third meeting and will be carried over to the next meeting which will be the public hearing.

What is the nature of the harm to the public from the current unregulated status of Art Therapy? If there is harm is it serious enough that licensing Art Therapists is necessary to address this harm? Have regulatory alternatives to licensure been considered such as registration, for example?

The applicants responded that they will provide specific instances of actual harm that has been caused by unqualified practitioners at the upcoming public hearing.

The applicants went on to state that they are not asking for independent licensure, rather, they are asking for the creation of a specialty certification within the LMHP licensure category for Art Therapists. The applicants went on to state that under this concept anyone who seeks to provide Art Therapy services would not only have to qualify as an Art Therapist, they would need to qualify as an LIMHP, as well. This way Art Therapy providers would have all of the necessary skills and abilities to diagnose and treat mental health or mental health related conditions of their patients. These requirements would include a Masters degree in Art Therapy and qualifying as an LIMHP. The applicants added that adding Art Therapy as a new subspecialty under LIMHP would make it necessary to add an Art Therapist to the LMHP Board.

Regarding examinations for the LIMHP component of the requirements Kris Chiles, Program Manager for Behavioral Health and Consumer Services in the Department of Health and Human Services, stated that there are four examinations that a candidate for Art Therapy can take to satisfy the LIMHP requirements. The Board of LMHP would determine which of these examinations was the most appropriate for a given candidate to take.

How would the credential created by the proposal be administered? Would there be a licensing board for Art Therapy if the proposal were to pass or some other alternative form of administration?

The applicants stated that if the proposal were to pass Art Therapists would be regulated under the LMHP Board. The applicants stated that they want an Art Therapist added to this Board to ensure that a qualified practitioner in Art Therapy is present whenever this Board takes up any questions or concerns about Art Therapy or about a particular Art Therapist.

Can the scope of practice of Art Therapy be clearly defined?

This question was not answered during the third meeting and will be carried over to the next meeting which will be the public hearing.

Is there a national examination for Art Therapy?

This question was not answered during the third meeting and will be carried over to the next meeting which will be the public hearing.

Would the proposed regulatory process for Art Therapy provide for any of the following:

- Continuing education?

- Grandfathering?

- Exemptions?

- Renewal of credentials?

III. Public Comments

There were no additional public comments at this time.

IV. Other Business and Adjournment

The attendees were informed by program staff that the next meeting of the Art Therapy TRC scheduled for 1:00 p.m. on February 4, 2020 would be the public hearing.

There being no further business, the committee members unanimously agreed to adjourn the meeting at 1:55 p.m.